

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:20-00092

ANTOINE MILLER

**MEMORANDUM OPINION AND ORDER**

In Charleston, on February 1, 2022, came the defendant, Antoine Miller, in person and by counsel, Paul E. Stroebel; came the United States by Ryan Blackwell, Assistant United States Attorney; and came Senior United States Probation Officer Justin L. Gibson, for a hearing on the petition to revoke the defendant's term of supervised release.

The court informed the defendant of the alleged violations contained in the petition to revoke the term of supervised release, filed on December 9, 2021, as well as the amendment to the petition, filed on December 23, 2021. The court advised the defendant that, pursuant to Rule 32.1(b) of the Federal Rules of Criminal Procedure, he has the right to a hearing and assistance of counsel before his term of supervised release could be revoked.

For reasons placed on the record at the hearing, the government informed the court that it would not move forward on Violation No. 1. Whereupon the defendant admitted the conduct as alleged in Violations No. 2 and 3 of the petition as amended.

Accordingly, based on defendant's admissions, the court found the charges were established by a preponderance of the evidence.

For reasons placed on the record at the hearing, the parties asked the court to hold the proceeding in abeyance and to modify defendant's term of supervised release to impose the following two additional special conditions:

- 1) The defendant shall participate in and complete either anger management, or batterer's intervention and prevention classes.
- 2) The defendant shall participate in a mental health evaluation and participate in any mental health treatment and counseling deemed necessary, until such time as the defendant is released from the program at the recommendation of the mental health professional.

The defendant, government, and the probation office were in agreement with the foregoing. Accordingly, the court **ORDERED** defendant released from custody and the proceeding continued until further order of the court. Defendant's term of supervised release is subject to all the terms and conditions of release originally imposed as well as the two new conditions outlined above.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to counsel of record, the United

States Marshal for the Southern District of West Virginia, and the Probation Department of this court.

**IT IS SO ORDERED** this 1st day of February, 2022.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber  
Senior United States District Judge

